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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION
12

13 UNITED STATES OF AMERICA,)
14 Plaintiff,)
15 v.)
16 SERGIO ALFONSO ESPEJEL,)
17 Defendant.)
18 _____)

No. CR 12-0274 SBA

STIPULATION AND ORDER TO
CONTINUE HEARING ON MOTION TO
VACATE AND FOR AN EXCLUSION OF
TIME FROM APRIL 17, 2012 THROUGH
JUNE 6, 2012 FROM CALCULATIONS
UNDER THE SPEEDY TRIAL ACT

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21 The United States filed a Motion to Vacate Magistrate Judge's Order Granting Release
22 on April 17, 2012. This Court set the matter for hearing on May 10, 2012. The parties file this
23 stipulation to continue the Motion to June 6, 2012, which the Courtroom Deputy confirmed is
24 the next available date for a hearing on this Motion. As such, the parties stipulate to set the
25 hearing on the United States' Motion to June 6, 2012. The parties also agree that time is
26 excluded under the 18 U.S.C. § 3161, the Speedy Trial Act, due to delay resulting from a pre-
27 trial motion under Section 3161(h)(1)(D).

28 The defendant agrees that time shall be excluded under the Speedy Trial Act between

STIPULATION AND [PROPOSED] ORDER
CR 12-0274 SBA

1 April 17, 2012 and June 6, 2012 due to delay resulting from any pre-trial motion through the
2 conclusion of the hearing on or other prompt disposition of such matter. 18 U.S.C. §
3 3161(h)(1)(D).
4

5 SO STIPULATED:
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7 MELINDA HAAG
8 United States Attorney

9 DATED: May 9, 2012

10 /s/
11 CYNTHIA M. FREY
12 Assistant United States Attorney

13 DATED: May 9, 2012

14 /s/
15 GEOFFREY ROTWEIN
16 Attorney for SERGIO ALFONSO ESPEJEL
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1 Based upon the stipulation of the parties to continue the hearing on the United States
2 Motion to Vacate Magistrate Judge's Order Granting Release to June 6, 2012,

3 IT IS HEREBY ORDERED that the hearing be continued to June 6, 2012.

4 The Court further finds that time is appropriately excluded under the Speedy Trial Act
5 from April 17, 2012 to June 6, 2012 due to due to delay resulting from any pre-trial motion
6 through the conclusion of the hearing on or other prompt disposition of such matter.

7 IT IS THEREFORE ORDERED that the time between April 17, 2012 and May 6, 2012
8 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(1)(D).
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12 DATED: _5/9/12


HONORABLE SAUNDRA B. ARMSTRONG
United States District Judge